

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2021-168-S- ORDER NO. 2021-____
____,2021

IN RE:)	
Petition of the Office of Regulatory Staff)	[Proposed] ORDER
Requiring Condor Environmental, Inc. to)	
Verify Authorized Rates and Charges)	
)	

I. INTRODUCTION

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the petition of the Office of Regulatory Staff (“ORS”) to require Condor Environmental, Inc. (“Condor”) to Verify Authorized Rates and Charges for the Rose Hill and Caledonia Subdivisions in Anderson County, South Carolina (“Rose Hill” and “Caledonia”).

II. PROCEDURAL HISTORY

ORS filed its petition with the Commission on May 20, 2021. ORS is represented by Jeffrey M. Nelson, Esq. and Alexander W. Knowles, Esq. Condor is represented by Charles L.A. Terreni, Esq. and Alexander G. Shissias, Esq.

III. EVIDENCE OF RECORD

The Commission granted Condor approval to expand its existing sewer service area to include Rose Hill on September 26, 2012, Docket 2012-101-S, Order 2012-659. The Commission granted Condor approval to expand its existing sewer service area to include Caledonia on February 4, 2016, Docket 2015-24-S, Order 2016-74.

ORS identified certain increases in Condor's service fee ("Condor Fee") and pass-through fees for wastewater treatment ("WW Fee") charged to customers in the Rose Hill and Caledonia subdivisions it contends Condor imposed without required notice or approval by the Commission. ORS then brought the above captioned action requesting the Commission order that Condor refund those fee increases.

Condor determined that its interests, and ORS determined that the public interest, would be best served by Condor refunding \$555.00 to Caledonia, and \$5,502.00 to Rose Hill plus simple 8.5% interest in two equal monthly installments, that Condor will subsequently apply to the Commission for approval *nunc pro tunc* of previously unnoticed or unapproved increases in the WW Fee in Caledonia and Rose Hill, and that ORS would not oppose such an application.

IV. LAW

S.C. Code Ann. Regs. 103-503 (A) and (B) state that:

A. No schedule of rates, contracts, or rules and regulations, shall be changed until after the proposed change has been approved by the commission.

B. All rates, contract forms, and rules and regulations, proposed to be put into effect by any utility as defined in 103-502(11) shall be first approved by this commission before they shall become effective, unless they are exempt from such approval by statute or other provision of law.

V. DISCUSSION

Based upon the evidence of record, Condor's proposal should be approved subject to certain qualifications. Condor shall provide ORS and the Commission satisfactory proof of the refunds within thirty (30) days of the posting of the bill credits. The Commission shall hold any request by Condor for *nunc pro tunc* approval of unnoticed or unapproved increases in the WW Fee in Caledonia and Rose Hill in abeyance until such time as the Office of Regulatory Staff completes its audits and verifications of billing summaries provided by Condor which were noted

as pending in the March 8, 2021, document in this docket entitled “ORS Status Report and Recommendations.”¹ With these qualifications and assurances, Condor’s proposal will be in the public interest.

VI. FINDINGS OF FACT

The Commission finds:

1. Condor’s proposal is in the public interest.

VII. CONCLUSIONS OF LAW

1. The Commissions concludes Condor’s proposal complies with S.C. Code Ann. Regs. 103-503 (A) and (B) and should be approved.

ORDERING PROVISIONS

IT IS THEREFORE ORDERED:

1. Starting with the billing cycle following the issuance of this Order, Condor shall refund \$555.00 to Caledonia, and \$5,502.00 to Rose Hill plus simple 8.5% interest in two equal monthly installments through bill credits.
2. Condor shall provide ORS and the Commission satisfactory proof of the refunds within thirty (30) days of the issuance of the bill credits to its customers.
3. ORS shall complete its audits and verifications of the billing summaries provided by Condor regarding Caledonia and Rose Hill and so notify the Commission.
4. Until such a time as ORS completes its audits and verifications, the Commission shall hold shall hold any request by Condor for *nunc pro tunc* approval of unnoticed or unapproved increases in the WW Fee in Caledonia and Rose Hill in abeyance.

¹ The Commission notes that as of the date of this Order Condor has filed no such request for *nunc pro tunc* approval of previously unnoticed or unapproved fee increases for Caledonia or Rose Hill WW Fees.

5. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION

Justin T. Williams, Chairman
Public Service Commission of
South Carolina